

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4130 of 2016

- Mukesh Chhattani S/o Nabhamal Chhattani Aged About 33 Years (Chhatrani Wrongly Mention In Certified Copy) R/o Near Agrawal Lodge Manendragarh, Police Station & Tahsil Manendragarh, District Korea Chhattisgarh. **--- Petitioner**

Versus

- State of Chhattisgarh through the Police Station Manendragarh, District Korea Chhattisgarh. **--- Respondent**

MCRC No. 4139 of 2016

- Mohan Chhattani S/o Nabhamal Chhattani Aged About 44 Years (Chhatrani Wrongly Mention In Certified Copy) R/o Near Agrawal Lodge Manendragarh, Police Station And Tahsil Manendragarh, District Korea Chhattisgarh. **--- Petitioner**

Versus

- State of Chhattisgarh through The Police Station Manendragarh, District Korea Chhattisgarh. **--- Respondent**

For the applicants	:	Mr. S.C. Verma, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.07.2016

1. These are two bail applications filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 177 of 2016 registered at P.S. Manendragarh, Distt. Korea (C.G) for the offence punishable under Sections 384, 452, 506, 34 IPC and Section 4 of the Karja Act. Since both these applications are arising out of the same crime number, they are decide together by this common order.
2. As per the prosecution case, a report was made by one Dharam Das Chawla that 4 years back, he has obtained a loan of Rs. 12 lakhs from accused Mohan Chhattani and by way of repayment of loan, he returned Rs.32,96,000/- with heavy interest. However, the applicants

alongwith other co-accused were demanding Rs.45 lakhs and on 17.05.2016 the applicants alongwith other accused entered into the house of complainant, abused him and got certain cheques signed and also threatened the complainant.

3. Learned counsel for the applicants would submit that the nature of transaction is purely monetary transaction. He further submits that charge sheet in this case has been filed; all the documents have been seized and no further investigation is necessary and since the applicants are in jail since 26.05.2016 and 09.06.2016 respectively, they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Perused the case diary documents as also the statements of complainant.
6. Considering the fact that it is a monetary transaction and taking into the degree of allegations levelled against the applicants as also the fact that the charge sheet in this case has been filed and the detention period as applicant Mohan Chhattani is stated to be in jail since 26.05.2016 and applicant Mukesh Chhattani is in jail since 09.06.2016 and further considering the totality of facts and circumstances of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail applications are allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**